



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912**CERTIFIED MAIL - RETURN RECEIPT REQUESTED****MAR 31 2011**

Mr. Joseph Rubertone
Associate Vice President for Facilities Administration
Quinnipiac University
275 Mount Carmel Avenue
Hamden, Connecticut 06518

Re: PCB Cleanup and Disposal Approval under 40 CFR §§ 761.61(a) and (c) and
§ 761.79(h)
Student Center/ Alumni Hall, Quinnipiac College, Hamden, Connecticut

Dear Mr. Rubertone:

This is in response to the Quinnipiac University's (Quinnipiac) Notification¹ for approval of a proposed PCB cleanup at the Student Center and Alumni Hall located at Quinnipiac University in Hamden, Connecticut (the Site). The Site contains PCB-contaminated materials that exceed the allowable PCB levels under the federal PCB regulations at 40 CFR § 761.20(a), § 761.61 and § 761.62.

In its Notification, Quinnipiac has proposed the following PCB cleanup and disposal plan:

- Remove all PCB caulk, window units, wooden window sills, and steel lintels in renovation/demolition area;
- Decontaminate certain *porous* and *nonporous surfaces* in contact with < 50 parts per million (ppm) PCB caulk for reuse²; and,
- Dispose of *PCB remediation waste* (window units, wooden window sills, concrete, and brick in contact with ≥50 ppm PCB caulk or coated with PCB paint); and asphalt and soil/gravel as a ≥50 ppm waste at a TSCA-approved disposal facility.

¹ Information was submitted on behalf of Quinnipiac University by Facility Support Services. The information was provided to satisfy the notification requirement under 40 CFR § 761.61(a). Information was submitted dated December 23, 2010 (SIP); February 24, 2011 (Response to Comments and Revised SIP); March 16, 2011 (email Response to Comments); and March 29, 2011 (email Response to Questions) and shall be referred to as the "Notification".

² The products with < 50 ppm meet the definition of an *Excluded PCB Product* and as such, decontamination of the adjacent *porous* and *nonporous surfaces* is not required under 40 CFR Part 761 and thus is not addressed under the attached Approval. Quinnipiac is conducting this work in accordance with the CTDEP regulations.

Based on EPA's review, the information provided in the Notification meets the requirements and standards established under 40 CFR §§ 761.61, 761.62, and 761.79(h) for removal and disposal of *PCB bulk product waste* and *PCB remediation waste*.

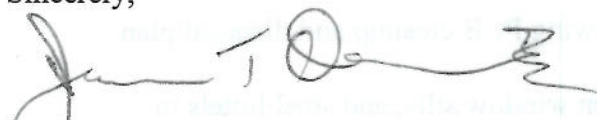
Quinnipiac has determined that certain caulks, glazing, and glue daubs which have PCB concentrations at < 50 ppm, meet the criteria for an *Excluded PCB Product* under § 761.3. Under the PCB regulations, *Excluded PCB Products* are authorized for use and thus there is no requirement for removal of the products or decontamination of surfaces that are in contact with the < 50 ppm products. Quinnipiac is proposing to remove the PCB products containing PCBs with greater than (>) 1 ppm but < 50 ppm and to clean or dispose of the *porous* and *nonporous surfaces* in contact with these products in accordance with the Connecticut Department of Environmental Protection (CTDEP) regulations.

Please be aware that this Approval requires Quinnipiac to conduct outreach activities for the school community on the PCB remediation work. This outreach effort shall be coordinated with EPA and the CTDEP, including the CTDEP Environmental Justice Coordinator (see Attachment 1, Condition 12).

Quinnipiac may proceed with its cleanup in accordance with 40 CFR §§ 761.61(a) and (c); § 761.62; § 761.79(h); its Notification; and this Approval, subject to the conditions of Attachment 1.

EPA shall not consider this project complete until it has received all submittals required under this Approval. Please be aware that upon EPA receipt and review of the submittals, EPA may request any additional information necessary to establish that the work has been completed in accordance with 40 CFR Part 761, the Notification, and this Approval.

Sincerely,



James T. Owens, III Director
Office of Site Remediation & Restoration

cc: Gary Trombly, CTDEP
Edith Pestana, CTDEP EJ Coordinator
Steven Daniels, Facility Support Services
David Monz, Updike, Kelly, & Spellacy, P.C.
File

Attachment 1

ATTACHMENT 1

PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS STUDENT CENTER/ALUMNI HALL ("the Site") QUINNIPIAC UNIVERSITY, HAMDEN, CONNECTICUT

GENERAL CONDITIONS

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to the *PCB bulk product waste* and the *PCB remediation waste* located at the Site and identified in the Notification.
2. The Quinnipiac University (Quinnipiac) shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.
3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.
4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.
5. Quinnipiac must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill during response actions, Quinnipiac shall contact EPA within 24 hours for direction on PCB cleanup and sampling requirements.
6. Quinnipiac is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time Quinnipiac has or receives information indicating that Quinnipiac or any other person has failed, or may have failed, to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.
7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by Quinnipiac are authorized to conduct the activities set forth in the Notification. Quinnipiac is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.

8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release Quinnipiac from compliance with any applicable requirements of federal, state or local law; or 3) release Quinnipiac from liability for, or otherwise resolve, any violations of federal, state or local law.

NOTIFICATION AND CERTIFICATION CONDITIONS

9. This Approval may be revoked if the EPA does not receive written notification from Quinnipiac of its acceptance of the conditions of this Approval within 10 business days of receipt.
10. Quinnipiac shall notify EPA in writing of the scheduled date of commencement of on-site activities at least one (1) business day prior to conducting any work under this Approval.
11. Quinnipiac shall submit the following information for EPA review and/or approval:
- a. A certification signed by its selected contractor, stating that the contractor(s) has read and understands the Notification, and agrees to abide by the conditions specified in this Approval;
 - b. A certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the extraction and analytical methods and quality assurance requirements specified in the Notification and in this Approval; and,
 - c. A contractor work plan, prepared and submitted by the selected contractor(s), detailing the procedures that will be employed for removal of PCB-contaminated wastes and for containment and air monitoring during removal activities. This work plan should also include information on waste storage, handling, and disposal for each waste stream type and for equipment decontamination.
12. Quinnipiac shall conduct outreach activities for the school community on the PCB remediation work. This outreach effort shall be coordinated with EPA and the Connecticut Department of Environmental Protection (CTDEP), including the CTDEP Environmental Justice Coordinator. Quinnipiac shall submit information on its outreach activities within 60 days of receipt of this Approval.

REMEDIAL AND DISPOSAL CONDITIONS

13. To the maximum extent practical, engineering controls, such as barriers, and removal techniques, such as the use of HEPA ventilated tools, shall be utilized during removal processes. In addition, to the maximum extent possible, disposable equipment and materials, including PPE, will be used to reduce the amount of decontamination necessary.

14. PCB-contaminated materials shall be decontaminated and confirmatory sampling and analysis shall be conducted as described below:
 - a. All visible residues of PCB-contaminated caulk (i.e. *PCB bulk product waste*) shall be removed as described in the Notification.
 - b. The decontamination standard for *porous surfaces* (i.e. concrete and brick) shall be less than or equal to (\leq) 1 part per million (ppm) PCBs. All post-decontamination verification sampling of *porous surfaces* shall be performed on a bulk basis (e.g. mg/Kg). Post-abatement confirmatory samples shall be collected in accordance with EPA's draft Standard Operating Procedure For Sampling Concrete in the Field, dated 12/30/97 to a maximum depth of 0.5 inches and at the frequency described in the Notification.
 - c. The cleanup level for bulk *PCB remediation waste* (i.e. soil and asphalt) at the Site shall be \leq 1 ppm. Samples shall be collected on a bulk basis (i.e. mg/Kg). Verification sampling for soils/gravels shall be conducted in accordance with 40 CFR 761, Subpart O. Verification sampling for asphalt shall be collected in accordance with EPA's draft Standard Operating Procedure For Sampling Concrete in the Field, dated 12/30/97 to a maximum depth of 0.5 inches and at the Subpart O sampling frequency.
 - d. Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction or analytical method(s) is validated according to Subpart Q.
15. All PCB waste (regardless of concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials, shall be marked in accordance with § 761.40; stored in a manner prescribed in § 761.65; and, disposed of in accordance with 40 CFR § 761.61(a)(5) or § 761.62, unless otherwise specified below:
 - a. Decontamination wastes and residues shall be disposed of in accordance with 40 CFR § 761.79(g).
 - b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).
 - c. PCB-contaminated water generated during decontamination shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.60.

INSPECTION, MODIFICATION AND REVOCATION CONDITIONS

16. Quinnipiac shall allow any authorized representative of the Administrator of the EPA to inspect the Site and to inspect records and take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by Quinnipiac to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.
17. Any proposed modification(s) in the plan, specifications, or information in the Notification must be submitted to EPA no less than 14 calendar days prior to the proposed implementation of the change. Such proposed modifications will be subject to the procedures of 40 CFR § 761.61(a)(3)(ii).
18. Any departure from the conditions of this Approval without prior, written authorization from the EPA may result in the revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
19. Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

RECORDKEEPING AND REPORTING CONDITIONS

20. Quinnipiac shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the decontamination and the analytical sampling shall be established and maintained by Quinnipiac in one centralized location, until such time as EPA approves in writing a request for an alternative disposition of such records. All records shall be made available for inspection to authorized representatives of EPA.
21. Quinnipiac shall submit a final report to the EPA within 60 days of completion of the activities authorized under this Approval. At a minimum, this final report shall include: a short narrative of the project activities; characterization and confirmation sampling analytical results, including indoor air sampling results; copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the quantity of PCB waste disposed of and the size of the decontaminated area(s); copies of manifests; and, copies of certificates of disposal or similar certifications issued by the disposer.

22. Required submittals shall be mailed to:

Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527

23. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self-disclosure or penalty policies.

END OF ATTACHMENT 1

